



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sprogis

Attorney Docket No.: 89762-00001

Serial No.: 10/791,267

Group Art Unit:

Filed: 03/02/2004

Examiner:

Title: Method and Apparatus for
Transponder Initiated MessagingCommissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Statement under 37 CFR 1.97(e), or
☐ Statement under 37 CFR 1.704(d), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e), or
☐ Statement under 37 CFR 1.704(d), and
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: *December 2, 2004*

Typed Name: Jean A. Burns

Signature: *Jean A. Burns*

Respectfully submitted,

Stephen C. McKenna

Stephen C. McKenna

Attorney/Agent for Applicant(s)

Reg. No. 44,233

Gibson, Dunn & Crutcher LLP

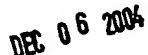
1801 California Street, Suite 4100

Denver, CO 80202

Telephone No.: (303) 298-5700

Fax No.: (303) 296-5310

Date: November 22, 2004



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	10/791,267
--------------------	------------

Filing Date	03/02/2004
-------------	------------

First Named Inventor	Sprogis
----------------------	---------

Art Unit

Examiner Name

Attorney Docket Number	89762-00001
------------------------	-------------

Sheet

1

of

2

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-4,442,507	04/10/1984	Roesner	
	2	US-4,796,074	01/03/1989	Roesner	
	3	US-5,095,362	03/10/1992	Roesner	
	4	US-5,296,720	03/22/1994	Wen	
	5	US-5,347,280	09/13/1994	Schuermann	
	6	US-5,378,880	01/03/1995	Eberhardt	
	7	US-5,407,851	04/18/1995	Roesner	
	8	US-5,521,601	05/28/1996	Kandlur	
	9	US-5,528,222	06/18/1996	Moskowitz	
	10	US-5,541,604	07/30/1996	Meier	
	11	US-5,550,547	08/27/1996	Chan	
	12	US-5,565,846	10/15/1996	Geiszler	
	13	US-5,682,143	10/28/1997	Brady	
	14	US-6,100,804	08/08/2000	Brady	
	15	US-6,424,262	07/23/2002	Garber	
	16	US-6,484,780	11/26/2002	Ashley	
	17	US-6,563,417	05/13/2003	Shaw	

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitution for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/791,267
				Filing Date	03/02/2004
				First Named Inventor	Sprogis
				Group Art Unit	
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	89762-00001

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 202